

**14-12. Civil Judicial Enforcement Actions, Including Collection Actions
(1200 TN 350 14-12)****1. AUTHORITY.**

- a. To request the Attorney General to appear and represent the U.S. Environmental Protection Agency in any civil enforcement action and to intervene in any civil enforcement action instituted under the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including civil judicial collection actions; and
- b. to request the AG to decline to prosecute a previously referred civil judicial action or cease prosecution of a previously filed civil enforcement action.

2. TO WHOM DELEGATED. Deputy Regional Administrator.**3. LIMITATIONS.**

- a. The delegatee must obtain the advance concurrence of the regional counsel on the legal sufficiency of the action before exercising these authorities. The RC may waive concurrence in writing.
- b. The OECA AA must notify the appropriate RA prior to exercising these authorities.
- c. The delegatee must notify the OECA AA prior to exercising the authority in 1(b) and when exercising the authority in 1(a). The OECA AA may waive the requirement for notification in writing.

4. REDELEGATION AUTHORITY.

- a. The authorities in 1(a) and (b) may be redelegated to the associate director level and no further. This authority may not be redelegated without formal amendment.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically delegated.

5. ADDITIONAL REFERENCES.

- a. Memorandum of Understanding between the Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).
- b. Sections 104, 106, 107, 109, and 122 of CERCLA.
- c. Delegation 14-13C.

Date: 4/11/2017


Cecil Rodrigues
Acting Regional Administrator